

REMARKS

The applicants have carefully reviewed the office action mailed on December 21, 2004. In the Office action, the Examiner rejected claims 1-4, 13-15, 17-20, 22, 23 and 25 under 35 U.S.C. §102 over U.S. Patent No. 4,552,206 to Johnson et al. ("Johnson"). In particular, the Examiner indicates that "Johnson discloses self-fastened heat sinks comprising all of the applicant's claimed and disclosed limitations." In response, the applicants have amended independent claim 1 to highlight that the heat sink is separate from the mounting plate, which is consistent with independent method claim 17.

There are several basic difference between Johnson and independent claim 1 as amended and claim 17. Johnson discloses only one element -- a heat sink. The claims require two elements: (1) a heat sink and (2) a separate mounting plate. The claims also require that the mounting plate include at least one hole through which to pass a lead of a component and further require that the heat sink is secured relative to the mounting plate by mounting flanges.

Johnson does not teach all of the elements of claim 1 as amended or claim 17 because Johnson does not teach or suggest a mounting plate having mounting flanges for mounting a heat sink. Rather, Johnson teaches only a heat sink, which cannot be mounted to itself. While the Examiner is correct that Johnson discloses flanges, these flanges are not mounting flanges for mounting a separate heat sink to a mounting plate.

Finally, the Examiner identifies Figure 4 as teaching a mounting plate having holes through which to pass leads of a component. The applicants respectfully disagree. Figure 4 is "an end view of the heat sink of Figure 2." It is apparent from Figure 2, Figure 4 and the other figures that Johnson does not teach or suggest "the mounting plate having ... at least one hole" and mounting the leads of the component to the substrate through the at least one hole as claimed

Serial No.:10/630,689

in independent claims 1 and 17. Rather, the heat sink of Johnson is one integrated piece that includes a lower plate. The lower plate does not include a hole or opening through which leads are mounted to the substrate. Rather, a component is slid onto the plate and the leads of the component drape over the edge of the plate. Accordingly, Johnson does not anticipate independent claims 1 or 17 or claims depending therefrom.

Because Johnson lacks a teaching of a mounting plate with holes through which to pass leads of a component and lacks a teaching of mounting flanges to which to mount a separate heat sink, the Examiner also has not made out a prima facie case of obviousness with respect to the claims rejected under 35 U.S.C. § 103.

For the foregoing reasons, reconsideration and allowance of the pending claims is respectfully requested. If the Examiner has any questions about this Amendment and to facilitate prosecution, the Examiner is encouraged to call the undersigned attorney.

Respectfully submitted,

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